

Information concerning the change in the cockpit access regulation

German airlines will once again put the original access control regulation into effect and this will be supplemented by additional safety measures - risk assessments show: The two person regulation does not add to safety.

German airlines will no longer implement the temporarily introduced two person regulation in the cockpit. Instead, the original regulation of access control to the cockpit will be put into effect again and will be supplemented by additional safety measures. This is the result of extensive risk assessments, which all German air carriers have performed according to the recommendations of the European Aviation Safety Agency EASA. The evaluation has shown that the two person regulation brings no safety benefits, but rather leads to other flight safety relevant risks in daily regular operation. The flight operations of Germany's major airlines (airlines who are members of BDL) will present these new safety regulations to the German Federal Aviation Authority and will implement them by 1 June 2017, at the latest.

The two person regulation, which has since been repealed, was introduced as an emergency measure following the recommendation of the EASA after the German Wings accident in March 2015. According to the regulation, another authorised person should sit in the cockpit in case one of the two pilots has to leave the cockpit for a short while. Already at the introduction of this emergency measure, it was decided that it should be subject to evaluation after one year (see the final report of the Task Force Airline Safety) - also in the light of additional safety measures, which have resulted from the conclusions of the accident investigation final report and in the meantime have been implemented by all German airlines.

EASA has evaluated the experience of the two person regulation in the cockpit (see the results of the "Assessment of effectiveness of 2-persons-in-the-cockpit recommendation included in EASA SIB 2015-04") and as a result in July 2016 proposed, on the basis of carrying out a risk assessment and the testing of additional measures, to replace the current two person regulation by the following rules (SIB 2016-09):

1. On the part of the airlines, it must always be ensured that at least one qualified pilot remains in the cockpit in case one of the pilots, for imperative technical or physical reasons, has to leave the cockpit temporarily during flight operation.
2. The airlines have to carry out a risk assessment of the cockpit occupation according to the recommendations of the Task Force report and the EASA and must additionally check the following:

- that companies have appropriate procedures to test the psychological and safety requirements of the pilots,
- the access of the pilots to psychological counselling and support programmes must be guaranteed,
- as well as stable employment conditions for pilots
- and the possibilities of the company to reduce the psychological and social risks.

The flight operators of the BDL airlines have each performed a corresponding risk assessment. These risk assessments have shown independently of one another:

- that additional safety risks are caused by the two person regulation and the associated frequent and predictable opening of the cockpit door; in particular, there is an increased risk that unauthorised persons could gain access to the cockpit. Additionally, under the two person regulation, the group of people who are authorised to enter the cockpit is larger, and trained cabin crew are bound in the cockpit in a possible emergency and would not be able to assist in the cabin.
- That the danger of an attack from outside by means of terrorist or criminal acts must still be rated higher than the danger posed by so-called homicide/suicide cases. According to figures of the Aviation Safety Network, there have been 1,074 cases of kidnapping until today compared with only 4 suicide cases. Among them, only two cases were comparable with the German Wings disaster, in which a lone perpetrator was alone in the cockpit when he brought the plane to a crash with suicidal intent.

Regarding this background, the following arises:

- a. The safety function of the cockpit door must not be reduced through access regulations, such as the two person regulation.
- b) The right approach to reduce the extremely low risk of a suicide scenario even further can be in safety assessments which target and reinforce, even diagnostically, the awareness of physical/mental illnesses and the corresponding additional safety measures. These include the enhanced aero-medical supervision in the selection and monitoring process of the pilots, the expansion of support programmes and the reduction of psychological and economic risks for pilots.

These correspond with the recommendation of the European Aviation Safety Agency (EASA SIB 2016-09). In addition to these recommendations, in Germany in the 15th revision of the Aviation Act, random checks on alcohol, drugs and medications were introduced. The law shall enter into effect for the German airlines on April 21. Considering this background, the two person regulation should be replaced by the original access control regulation before June 1, 2017.

Specifically, this means:

a) Risk assessment of the access control regulation and activation of the original regulation

The two person regulation was introduced as a temporary emergency measure in response to the “homicide/suicide” specific cause of accidents. Already at its introduction, it was agreed that this measure had to be evaluated after a transitional period and that authorities, doctors, psychologists and other experts had to be consulted regarding permanent measures.

The evaluations of the two person regulation confirm that additional flight safety risks in daily regular operation arise with this regulation. These include in particular:

- The cockpit door which is especially secured against unauthorised access is opened frequently and predictably when applying the two person regulation (a member of the cockpit crew leaving/entering the cockpit plus flight attendants leaving/entering the cockpit). This increases the risk of unauthorised access, both by fanatical, radical, politically motivated or psychologically motivated perpetrators from outside who want to bring the aircraft under their control.
- An increased risk also arises because as a result of the two person regulation, a member of the cabin crew is bound in the cockpit, who is therefore not available for emergency procedures in the cabin (e.g. fire, medical emergency, etc.) in case of emergency.

The rigid access control to the cockpit combined with the heavily fortified cockpit door was a deciding and effective safety measure to prevent potential attackers from gaining access to the cockpit and was introduced in response to the attacks on the US aircraft on September 11, 2001. The evaluations show that security threats by an attack from outside (by terrorist/criminal acts) still have to be assessed much higher than the danger posed by so-called homicide/suicide cases. According to figures of the Aviation Safety Network, there have been 1,074 cases of kidnapping until today compared with only 4 suicide cases.

B) Introduction of additional measures

The airlines implement the four packages of measures recommended by the EASA:

1. The airlines comply with the psychological and safety requirements for pilots

Both the Joint Task Force Airline Safety of BMVI and BDL, and the Task Force of the EASA agreed that the psychological and psychiatric elements of the suitability examination must be given greater importance. Accordingly, the following will be implemented:

Before training as a commercial pilot, be it with an airline or a private flight school, it is a legal requirement that an extensive medical suitability examination (the so-called “Class 1 medical certificate”) must be carried out by an Aero-Medical Centre (AeMC). This includes checking for alcohol, drugs and medication use. In addition, a background check, including among other things a police certificate of good conduct, an extract from the driving suitability register of the Federal Motor Vehicle Office and a statement regarding pending criminal proceedings must be submitted before the training.

When contracting flight personnel, the emotional state and any conspicuous behaviour are to be examined in the context of a so-called Mental Health Assessment. In addition, a certificate of good conduct and an extract from the central traffic register must be submitted before being contracted. Also before being contracted, an Official Reliability Test (ZÜP) must be carried out. A prerequisite for being contracted is also a valid commercial pilot license including a valid “Class 1 medical” certificate.

During the at least annual suitability examinations (“Class 1 medicals” of flight crew, cockpit and cabin), specially trained aero-medical doctors or Aero-Medical Centres are to pay special attention in order to specifically assess and address the emotional state and possible conspicuous behaviour of the pilot during the medical interview. In addition, the aero-medical doctors or Aero-Medical Centres as part of the “Class 1 medicals” have to evaluate the risk of alcohol, drugs and medication use. Furthermore, a regular Official Reliability Test of the pilot (ZÜP) is strictly mandatory.

2. Ensuring stable employment conditions for pilots

The airlines organised in BDL offer their pilots in

- the collective agreement,
- as part of the operating agreement
- or in the context of a group insurance,

access to a so-called “Loss of license” insurance or “Flight unfitness insurance” in the event that they lose their pilot license due to their health.

In the case of permanent flight unfitness on medical grounds, any outstanding balance of a training loan does not have to be repaid, in the case of airlines that train their pilots themselves (standard practice or individual solution in favour of the affected employee). In the event of permanent flight unfitness, all airlines endeavour to find individual solutions within the company for the benefit of the affected employee.

3. Access of pilots to psychological counselling and support programmes

All German airlines in BDL allow their crews access to special support programmes, whether they be confidential programmes such as AntiSkid, psycho-social counselling of the company, operational reintegration measures, the so-called Special Assistance Teams or the company’s support for external offers of assistance such as psychotherapy, clinics, counselling centres, self-help groups and rehabilitation measures.

4. The company’s ability to orient its management system in order to reduce psychological and social risks

The German airlines in BDL have revised their Crew Resource Management tools and Safety Management Systems. These include a strengthening of the mutual penalty free information and reporting systems (the so-called just-culture-principle).

At larger airlines a “middle” level was created using the “Base Management Pilots” or “Fleet Captains,” who look after a manageable number of other pilots and serve as a contact person and mentor. By increasing the care rate and the dedicated allocation of pilots to a manager, more intensive employee support is ensured. Regular exchanges, including in the context of individual employee discussions, should help to detect abnormalities or problems in their professional and personal environment as early as possible and take measures or provide employees with appropriate support.

5. Spot checks on alcohol, drugs and medicines

Another risk minimizing measure, in addition to the recommendations of the EASA, is contained in the June 2016 15th revision of the Aviation Act which decided to introduce spot checks on pilots regarding alcohol, drugs and medications. The German authorities (especially LBA) have been carrying out random checks since the beginning of January 2017. The German airlines will begin with the random checks after April 21, 2017 after the completion of the corresponding operating agreements.

Accompanying documents:

The EASA recommendation of 27.3.2015 to introduce the two person regulation (*repealed*):

[EASA SIB 2015-04](#)

[Summary](#) of the results of the EASA Risk Assessments for the two person regulation

EASA recommendation regarding “Minimum Cockpit Occupancy” from July 21, 2016 (*in effect*):

[EASA SIB 2016-09](#)

[Final report](#) of the joint BMVI-BDL Task Force Airline Safety (*November, 2015*)

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